

STATE OF MICHIGAN
COURT OF APPEALS

LUMBERMEN'S UNDERWRITING
ALLIANCE, as Subrogee of EQUITY
PLANNING CORPORATION,

Plaintiff-Appellant,

v

RUE CONSTRUCTION COMPANY, INC., and
CONCRETE CUTTING & BREAKING, INC.,

Defendants-Appellees.

UNPUBLISHED
May 19, 2005

No. 252060
Saginaw Circuit Court
LC No. 03-049155-CZ

Before: Murphy, P.J., and White and Smolenski, JJ.

WHITE, J. (*dissenting*).

As the majority recognizes, the work must be considered in light of the system, or the larger improvement, and not just the component involved. The circuit court failed to evaluate the work in this context. I would remand with instructions to do so, expressing no opinion on the merits.

/s/ Helene N. White